

HOUSE BILL 558

48TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2008

INTRODUCED BY

Rick Miera

AN ACT

RELATING TO SCHOOL PERSONNEL; PROVIDING MINIMUM SALARIES FOR
EDUCATIONAL ASSISTANTS IN PUBLIC SCHOOLS WHO HAVE REQUIRED
EDUCATIONAL QUALIFICATIONS; MAKING AN APPROPRIATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-10A-17.1 NMSA 1978 (being Laws
2004, Chapter 30, Section 1) is amended to read:

"22-10A-17.1. EDUCATIONAL ASSISTANTS--LICENSING
FRAMEWORK--QUALIFICATIONS--MINIMUM SALARIES.--

A. All persons who perform services as educational
assistants in public schools or in [~~those special state-~~
~~supported schools within~~] state agencies must hold valid,
educational assistants licensure issued by the [~~public~~
~~education~~] department. Educational assistants shall be
assigned, and serve as assistants, to school staff duly

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1 licensed by the [~~public education~~] department. While there may
2 be [~~brief~~] periods when educational assistants are alone with
3 and in control of a classroom of students, their primary use
4 shall be to work alongside or under the direct supervision of
5 duly licensed staff.

6 B. The [~~public education~~] department [~~will~~] shall,
7 through appropriate rules, institute a licensure system for
8 educational assistants. The highest level of license must
9 ensure that educational assistants who hold that level of
10 licensure meet the standard for paraprofessionals established
11 in federal statute and regulation for employment in a Title 1
12 program. Educational assistants hired on or after January 8,
13 2002, who provide instructional support in a Title 1 program,
14 must meet the qualifications for the highest level of licensure
15 [~~on the effective date of this statute~~]. Paraprofessionals
16 hired prior to January 8, 2002 must meet the qualifications for
17 the highest level of licensure by January 8, 2006.

18 C. The minimum annual salary for licensed
19 educational assistants shall be twelve thousand dollars
20 (\$12,000) [~~effective in the 2004-2005 school year~~].

21 ~~D. The minimum salaries specified in Subsection C~~
22 ~~of this section may be adjusted in accordance with~~
23 ~~appropriations for that purpose in each school year as~~
24 ~~established by the secretary of public education.~~

25 ~~E. School districts shall initiate the~~

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1 ~~implementation of a career salary framework that supports the~~
2 ~~licensure system in public education department rules in fiscal~~
3 ~~year 2005].~~

4 D. Beginning with the 2008-2009 school year,
5 educational assistants who meet the following educational
6 requirements shall have the following minimum hourly pay:

7 (1) for educational assistants who have at
8 least thirty hours of approved academic credit at an accredited
9 college or university or an approved educational organization,
10 twelve dollars sixty-nine cents (\$12.69);

11 (2) for educational assistants who have an
12 associate's degree or at least sixty hours of approved academic
13 credit at an accredited college or university or an approved
14 educational organization, sixteen dollars ninety-one cents
15 (\$16.91); and

16 (3) for educational assistants who have a
17 bachelor's degree or at least ninety hours of approved academic
18 credit at an accredited college or university or an approved
19 educational organization, twenty-one dollars thirteen cents
20 (\$21.13).

21 E. At least fifteen hours of approved academic
22 credits shall include courses similar to the following:

23 (1) language arts, reading or language arts,
24 or reading pedagogy;

25 (2) writing or writing pedagogy;

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- (3) mathematics or mathematics pedagogy;
- (4) reading, writing and mathematics
readiness;
- (5) professional education, classroom
management, teaching assistance or special education; and
- (6) early childhood development.

F. The department shall promulgate rules to
implement the provisions of Subsection D of this section."

Section 2. APPROPRIATION.--Thirty-three million seven hundred sixteen thousand dollars (\$33,716,000) is appropriated from the general fund to the public education department for expenditure in fiscal year 2009 to distribute to school districts and charter schools to provide minimum salaries for educational assistants who meet the educational qualifications provided in Section 22-10A-17.1 NMSA 1978. Any unexpended or unencumbered balance remaining at the end of fiscal year 2009 shall revert to the general fund.